

MICHIGAN ELECTION LAW (EXCERPT)
Act 116 of 1954

168.426d Judge of municipal court of record; candidate; nominating petitions; incumbent judge as candidate in primary election; affidavit of candidacy; validity of filed petitions; filing for election to more than 1 judgeship; withdrawal; office designation.

Sec. 426d. (1) To obtain the printing of the name of a person on the ballot as a candidate for the office of judge of the municipal court of record, there shall be filed with the city clerk nominating petitions containing the signatures, addresses, and dates of signing of a number of qualified and registered electors residing in that city as determined under section 544f. Until December 31, 2013, the city clerk shall receive nominating petitions up to 4 p.m. of the fourteenth Tuesday before the August primary. Beginning January 1, 2014, the city clerk shall receive nominating petitions up to 4 p.m. of the fifteenth Tuesday before the August primary. The provisions of sections 544a and 544b apply.

(2) An incumbent judge of the municipal court of record may become a candidate in the primary election for the office of which the judge is the incumbent by filing, with the city clerk, an affidavit of candidacy not less than 134 days before the date of the primary election. The affidavit of candidacy shall contain statements that the affiant is an incumbent judge of the municipal court of record, is domiciled within the city, will not attain the age of 70 by the date of election, and is a candidate for election to the office of judge of the municipal court of record.

(3) Nominating petitions filed under this section are valid only if they clearly indicate for which of the following offices the candidate is filing, consistent with section 426k(3):

- (a) An unspecified existing judgeship for which the incumbent judge is seeking election.
- (b) An unspecified existing judgeship for which the incumbent judge is not seeking election.
- (c) A new judgeship.

(4) A person who files nominating petitions for election to more than 1 municipal court of record judgeship shall have not more than 3 days following the close of filing to withdraw from all but 1 filing.

(5) In a primary and general election for 2 or more judgeships where more than 1 of the categories in subsection (3) could be selected, a candidate shall apply to the bureau of elections for a written statement of office designation to correspond to the judgeship sought by the candidate. The office designation provided by the secretary of state shall be included in the heading of all nominating petitions. Nominating petitions containing an improper office designation are invalid.

(6) The secretary of state shall issue an office designation of incumbent position for any judgeship for which the incumbent judge is eligible to seek reelection. If an incumbent judge does not file an affidavit of candidacy by the deadline, the secretary of state shall notify all candidates for that office that a nonincumbent position exists. All nominating petitions circulated for the nonincumbent position subsequent to the deadline shall bear an office designation of nonincumbent position. All signatures collected before the affidavit of candidacy filing deadline may be filed with the nonincumbent nominating petitions.

History: 1954, Act 116, Eff. June 1, 1955;—Am. 1963, 2nd Ex. Sess., Act 59, Eff. Mar. 24, 1964;—Am. 1996, Act 583, Eff. Mar. 31, 1997;—Am. 1999, Act 218, Eff. Mar. 10, 2000;—Am. 2012, Act 276, Eff. Aug. 16, 2012.

Popular name: Election Code